

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services-Treasuries & Accounts Department- Sri B. Ganga Kisan, former Sr. Accountant, Headquarters, Sub Treasury, Nizamabad - Punishment of reduction of pay by one stage for a period of one year with cumulative effect modified as "Censure" -Orders-Issued.

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FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 3887

Dated: 24 -10-2011

Read the following:

- 1.Proceedings No. K(II)7/13783/2006-4 dated 18-02-2008 of DTA.,A.P., Hyderabad.
2. Defence Statement of Sri B.Ganaga Kishan,S.A. dated 10-03-2008.
- 3.Proceedings No. K(II)7/13783/2006-4 dated 31-08-2010 of DTA.,A.P., Hyderabad
- 4.Reply submitted by Sri B.Ganaga Kishan,S.A dated 28-09-2010
- 5.Proceedings No. K(II)7/13783/2006-2 dated 14-03-2011 of DTA.,A.P., Hyderabad.
6. Appeal petition submitted by Sri B.Ganga Kishan, former Sr. Accountant, Headquarters, Sub Treasury, Nizamabad dated 18-05-2011
7. Lr No. K(II)7/6956/2011 dated 15-07-2011 of DTA.,A.P., Hyderabad.

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ORDER:

In the reference 1<sup>st</sup> read above, disciplinary action was initiated under Rule 20 of A.P. Civil Service (CC& A) 1991, against Sri B.,Ganga Kishan, formerly Senior Accountant, Headquarters, Sub Treasury, Nizamabad and at present working as Senior Accountant, Sub Treasury Office, Bheemgal, Nizamabad for his lapses in processing a fake PPO No. 02-SG-007941 in the name of Sri Mohd. Salim for payment of LTA to a bogus Family Pension Smt. Rehana Begam and conversion to Family Pension, without identifying the pensioner properly. The following two charges have been framed against him:

Charge - I

"that the said Sri B.Ganga Kishan while working as Sr. Accountant, Headquarter Sub Treasury, Nizamabad has processed the fake PPO No. 02-SG-007941 in 7/2006 in respect of Smt.Rehana Begum without identifying the pensioner properly in violation of the instruction of the Director of Treasuries and Accounts, A.P, Hyderabad issued from time to time which resulted for a fraudulent payment to a tune of Rs. 6,11,179/- which caused financial loss to Government. Thus, he has exhibited lack of integrity devotion to duty and thereby exhibited conduct unbecoming of a Government Servant and contravened Rule 3 of A.P. Civil Services (Conduct) Rules, 1964"

Charge – II

"that the said Sri B.Gangakishan while working as Sr. Accountant, Headquarter Sub Treasury, Nizamabad has processed the fake PPO No. 02-SG-007941 in respect of Smt. Rehana Begum wrongly though it is not related to Headquarter Sub Treasury Jurisdiction. Thus, he has exhibited lack of integrity, devotion to duty and thereby exhibited conduct unbecoming of a Government Servant and contravened rule 3 of A.P. Civil Services (Conduct) Rules, 1964."

A regular Enquiry has been conducted, wherein out of two charges, Charge I was not proved and Charge II was Proved.

In the reference 3<sup>rd</sup> read above, the Inquiry Report was communicated to Sri B.Ganga Kishan, Senior Accountant, Headquarters Sub Treasury, Nizamabad under Rule 21 (2) of APCS(CC&A) Rules, 1991 to submit his representation . The individual has submitted his reply in the reference 4<sup>th</sup> read above.

In the reference 5<sup>th</sup> read above, after following the due procedure, the disciplinary authority in exercise of powers conferred under clause (vii) (b) of Rule 9 read with Rule 14 of APCS (CC&A) Rules, 1991 issued orders imposing punishment of reduction of pay by one stage for a period of one year with cumulative effect on the above officer.

In the reference 6<sup>th</sup> read above, the individual has preferred an appeal petition under Rule 34(1)(iii) of A.P. Civil Service (CC& A) 1991 requesting the Government to issue orders setting aside the punishment imposed by the DTA., i.e., stepping down of pay by one stage for 1 year with cumulative effect stating that as per Rule 3 of APCS. (Conduct) Rules 1964, he has followed the oral instructions of STO., and processed the pension papers received from the District Treasury, which may be correct. He has further contented that no where it is stated either in the A.P. Treasury Code Vol. I or in the A.P. Treasuries and Accounts functionary manual that the Senior Accountant should identify the pensioner. It is the duty of the STO., to identify the pensioner and order the payment of pension as per S.R. 65 under T.R. 16 of A.P. Treasury Code Vol. I. When the bill claiming the pensionary benefits was sent to the Deputy Director, District Treasury, Nizamabad through STO for pre audit, the District Treasury had split the bill into two and returned it to Sub Treasury, Nizamabad for making payment of pensionary benefits. He was under the impression that when there was double check at District Treasury and it was received after duly auditing for payment in Sub Treasury. He has also mentioned certain case laws in support of his contention.. Further he stated that, he is not solely responsible and there is no truth that being subordinate he has misled 3 (three) higher officers involved in the matter by payment to the bogus pensioner. It is also a practice in the city to order payment of pension through any bank. As per instructions issued in Circular Memo.No.20928/264/PSC/2008, dt. 18.12.2008, the payment of pensionary benefits shall be made to the retired employees at the place from which they retired and thereafter they can apply for transfer to any place in the State or outside the State. According to this, the DTO., can order payment from any Sub-Treasury in his jurisdiction. Therefore the action of the District Treasury Officer, in this regard is unquestionable. As the punishment imposed reducing pay by one stage for a period of one year with cumulative effect is very harsh which will effect his pay till his retirement and the charge leveled against him is not sustainable, he has finally requested to allow his appeal petition and issue orders setting aside the punishment imposed by the Director of Treasuries and Accounts.

In the reference 7<sup>th</sup> read above, the DTA, in his report on the appeal petition has informed that the appeal petition does not deserve any consideration as the appellant has not pointed out any violation of rules in conducting the enquiry and awarding the punishment.

Government, after careful examination of the appeal petition of the Charged Officer which is received within a stipulated period of 3 months as per Rule 35 of A.P. Civil Service (CC& A) 1991 and also duly being satisfied with his contention given therein and also taking a lenient view in the matter, hereby order to reduce the punishment of reduction of pay by one stage for a period of one year with cumulative effect on Sri B.Ganaga Kishan as “Censure” under Rule 37(2) (i) of A.P. Civil Service (CC& A), 1991.

The Director of Treasuries and Accounts, A.P., Hyderabad is requested to take further action in the matter accordingly.

The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RANJEEV R. ACHARYA  
PRL.SECRETARY TO GOVERNMENT (FP)

To  
Sri B. Ganga Kishan, former Sr. Accountant, Headquarter,  
Sub Treasury, Nizamabad -(through the DTA, AP, Hyderabad)  
copy to: The DTA, AP, Hyderabad

//FORWARDED BY ORDER//

SECTION OFFICER